

1 THE CHAIRMAN: Delegate Scanlan.

2 DELEGATE SCANLAN: I just want to support the
3 amendment, to the extent that it proposes a less than
4 unanimous verdict. I think Judge Child's comment about the
5 six-man jury may be in order and I hope that when the
6 question is put to the House, it will be divided so that
7 we can vote first on the size of the jury and second on the
8 question of whether jury verdicts should be less than
9 unanimous.

10 The Assembly tonight has a great opportunity to
11 strike a blow for the integrity of the jury system and the
12 judicial process without sacrificing any of the fundamental
13 liberties that we have always guaranteed the accused. I
14 think there are very few people in this room who, looking
15 at the present statistics of prosecutions for crime, and
16 successful convictions which are going down in relation to
17 the total number of prosecutions, would have to admit that
18 the protections we now afford the accused perhaps have swung
19 the pendulum a little too far. We have expended the
20 protections of the exclusionary rules of evidence, we have
21 protected self-incrimination in a fashion that was never